

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:) Chapter 11
)
FORESIGHT ENERGY LP, *et al.*,) Case No. 20-41308-659
)
) (Jointly Administered)
)
) **Hearing Date:** April 3, 2020
) **Hearing Time:** 10:00 a.m. (Central Time)
) **Hearing Location:** Courtroom 7 North

**AGENDA OF MATTERS
SCHEDULED FOR HEARING ON APRIL 3, 2020**

Time of Hearing: 10:00 a.m. (Central Time)

Location of Hearing: United States Bankruptcy Court for the Eastern District of Missouri,
Thomas F. Eagleton Federal Building, 7th floor, North Courtroom,
111 S. 10th Street, St. Louis, Missouri 63102

PLEASE BE ADVISED THAT this hearing will be conducted telephonically through Court Solutions, which may be accessed at <https://www.court-solutions.com/>. If you are unable to access the conference call via the link above, please promptly contact Mr. John Howley at John_Howley@moeb.uscourts.gov prior to the hearing.

I. Adjourned Matters

1. **“Cash Collateral & DIP Financing Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Post-Petition Financing, (B) Grant Senior Secured Priming Liens and Superpriority Administrative Expense Claims, and (C) Utilize Cash Collateral; and (II) Granting Adequate Protection to the Prepetition Secured Parties; (III) Modifying the Automatic Stay; (IV) Scheduling Final Hearing; and (V) Granting Related Relief [Docket No. 29]

Status: The hearing on this matter is adjourned to April 8, 2020 at 11:00 a.m. (CT)

Response Deadline: March 30, 2020

Related Documents:

Interim Order (I) Authorizing the Debtors to (A) Obtain Post-Petition Financing, (B) Grant Senior Secured Priming Liens and Superpriority

Administrative Expense Claims, and (C) Utilize Cash Collateral; and (II) Granting Adequate Protection to the Prepetition Secured Parties; (III) Modifying the Automatic Stay; (IV) Scheduling Final Hearing; and (V) Granting Related Relief [Docket No. 74]

Notice of Adjournment [Docket No 225]

Responses Received:

Limited Objection to Entry of Final Order (I) Authorizing the Debtors to (A) Obtain Post-Petition Financing, (B) Grant Senior Secured Priming Liens and Superpriority Administrative Expense Claims, and (C) Utilize Cash Collateral; (II) Granting Adequate Protection to the Prepetition Secured Parties; (III) Modifying the Automatic Stay; (IV) Scheduling Final Hearing; and (V) Granting Related Relief [Docket No. 199]

2. **“Coal Sale Contracts Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to (I) Perform Under Existing Coal Sale Contracts in the Ordinary Course of Business and (II) Enter Into and Perform Under New Coal Sale Contracts in the Ordinary Course of Business and (B) Granting Related Relief [Docket No. 8]

Status: The hearing on this matter is adjourned to April 8, 2020 at 11:00 a.m. (CT)

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing the Debtors to (I) Perform Under Existing Coal Sale Contracts in the Ordinary Course of Business and (II) Enter Into and Perform Under New Coal Sale Contracts in the Ordinary Course of Business and (B) Granting Related Relief [Docket No. 117]

Notice of Adjournment [Docket No 225]

Responses Received: None to date

3. **“Rejection of Leases Motion”** – Debtors Motion for Entry of an Order Pursuant to Sections 105(a) and 365 of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Rejection of Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date [Docket No. 63]

Status: The hearing on this matter is adjourned to the hearing scheduled for April 8, 2020 at 11:00 a.m. (CT)

Response Deadline: March 30, 2020

Related Documents:

Notice of Withdrawal of Debtors' Motion to Reject Executory Contract between Debtor Macoupin Energy LLC and The Mt. Olive and Staunton Coal Company Trust [Docket No. 217]

Notice of Adjournment [Docket No 225]

Responses Received:

Response to Debtors' Motion for an Order Pursuant to Sections 105(a) and 365 of the Bankruptcy Code and Bankruptcy Rule 6004 Authorizing the Rejection of Certain Executory Contracts Nunc Pro Tunc to the Petition Date [Docket No. 190]

II. Matters Going Forward

A. Uncontested Motions

4. **"Cash Management Motion"** – Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing Continued Use of the Debtors' Existing Cash Management System; (B) Authorizing Use of Existing Bank Accounts and Business Forms; (C) Granting a Limited Waiver of Requirements of Section 345(b) of the Bankruptcy Code; (D) Authorizing Continuation of Ordinary Course Intercompany Transactions; (E) Granting Administrative Expense Priority Status to Postpetition Intercompany Claims; and (F) Granting Related Relief [Docket No. 4]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing Continued Use of the Debtors' Existing Cash Management System; (B) Authorizing Use of Existing Bank Accounts and Business Forms; (C) Granting a Limited Waiver of the Requirements of Section 345(b) of the Bankruptcy Code; (D) Authorizing Continuation of Ordinary Course Intercompany Transactions; (E) Granting Administrative Expense Priority Status to Postpetition Intercompany Claims; and (F) Granting Related Relief [Docket No. 109]

Responses Received: None to date

5. **"Vendors Motion"** – Motion for Entry of Interim and Final Orders (A) Authorizing Debtors to Pay Prepetition Claims of Trade and Lien Claimants and Authorizing Payment Procedures Related Thereto,

(B) Authorizing Debtors to Pay Royalty and Leasehold Claims, (C) Granting Administrative Expense Priority to Outstanding Orders, and (D) Granting Related Relief [Docket No. 5]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing Debtors to Pay Prepetition Claims of Trade and Lien Claimants and Authorizing Payment Procedures Related Thereto, (B) Authorizing Payment Procedures Related Thereto, (B) Authorizing Debtors to Pay Royalty and Leasehold Claims, (C) Granting Administrative Expense Priority Status to Outstanding Orders, and (D) Granting Related Relief [Docket No. 115]

Responses Received: None to date

6. **“Wages and Benefits Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing Debtors to Pay Prepetition Wages and Workforce Obligations, (B) Authorizing Debtors to Maintain Workforce Programs and Pay Related Obligations, and (C) Granting Related Relief [Docket No. 6]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing Debtors to Pay Prepetition Wages and Workforce Obligations, (B) Authorizing Debtors to Maintain Workforce Programs and Pay Related Obligations, and (C) Granting Related Relief [Docket No. 88]

Responses Received: None to date

7. **“Customer Programs Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to Maintain Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (B) Granting Related Relief [Docket No. 7]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing the Debtors to Maintain Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (B) Granting Related Relief [Docket No. 116]

Responses Received: None to date

8. **“Surety Bond Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing Debtors to Continue and Renew Surety Bond Program and (B) Granting Related Relief [Docket No. 9]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing Debtors to Continue and Renew Surety Bond Program and (B) Granting Related Relief [Docket No. 118]

Responses Received: None to date

9. **“Insurance Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing the Debtors to (I) Maintain, Continue, and Renew Their Existing Insurance Program and (II) Honor Certain Prepetition Obligations in Respect Thereof and (B) Granting Related Relief [Docket No. 11]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing the Debtors to (I) Maintain, Continue, and Renew Their Existing Insurance Program and (II) Honor Certain Prepetition Obligations in Respect Thereof and (B) Granting Related Relief [Docket No. 119]

Responses Received: None to date

10. **“Taxes Motion”** – Debtors’ Motion for Entry of Interim and Final Orders (A) Authorizing Payment of Prepetition Taxes and Fees and (B) Granting Related Relief [Docket No. 12]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (A) Authorizing Payment of Prepetition Taxes and Fees and (B) Granting Related Relief [Docket No. 120]

Responses Received: None to date

11. **“Utilities Motion”** – Debtors’ Motion for Entry of Interim and Final Orders Determining Adequate Assurance of Payment for Future Utility Services [Docket No. 13]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order Determining Adequate Assurance of Payment for Future Utility Services [Docket No. 121]

Responses Received: None to date

12. **“Bar Date Motion”** – Debtors’ Motion for Entry of an Order Establishing Bar Dates for filing Proofs of Claim and Approving Form and Manner of Notice Thereof [Docket No. 30]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents: N/A

Responses Received: None to date

13. **“Armstrong Teasdale Retention Application”** – Debtors’ Application Pursuant to Section 327(A) and 329(A) of the Bankruptcy Code, Bankruptcy Rules 2014(A) and 2016(B), and Local Bankruptcy Rules 2014(A) and 2016-1, for an Order Authorizing the Debtors to Retain and Employ Armstrong Teasdale LLP as Co-Counsel Effective *Nunc Pro Tunc* to the Petition Date [Docket No. 19]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order (I) Authorizing the Debtors and Debtors in Possession to Retain

and Employ Armstrong Teasdale LLP as Co-Counsel Effective as of the Date and (II) Scheduling a Final Hearing [Docket No. 145]

Responses Received: None to date

14. **“Prime Clerk Retention Application”** – Debtors’ Motion for Entry of an Order Authorizing the Retention and Employment of Prime Clerk LLC as Claims and Noticing Agent for the Debtors and Debtors in Possession *Nunc Pro Tunc* to the Petition Date [Docket No. 20]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order Authorizing Retention and Appointment of Prime Clerk LLC as Claims and Noticing Agent and Administrative Advisor Effective as of the Petition Date [Docket No. 183]

Responses Received: None to date

15. **“Paul, Weiss Retention Application”** – Debtors’ Application for Entry of an Order Authorizing the Retention and Employment of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Attorneys for the Debtors and Debtors in Possession *Nunc Pro Tunc* to the Petition Date [Docket No. 33]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order Authorizing the Retention and Employment of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Attorneys for the Debtors and Debtors in Possession Effective as of the Petition Date [Docket No. 148]

Responses Received: None to date

16. **“Jefferies Retention Application”** – Debtors’ Application for Authority to Employ and Retain Jefferies LLC as Investment Banker for the Debtors *Nunc Pro Tunc* to the Petition Date [Docket No. 32]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order Authorizing the Retention and Employment of Jefferies LLC as Investment Banker for the Debtors Effective as of the Petition Date [Docket No. 147]

Responses Received: None to date

17. **“FTI Consulting Retention Application”** – Debtors’ Application for Authority to Employ and Retain FTI Consulting, Inc. as Restructuring Financial Advisor to the Debtors *Nunc Pro Tunc* to the Petition Date [Docket No. 31]

Status: The hearing on this matter is going forward on an uncontested basis

Response Deadline: March 30, 2020

Related Documents:

Interim Order Approving Debtors’ Application for Authority to Employ and Retain FTI Consulting, Inc. as Restructuring Financial Advisor to the Debtors Effective as of the Petition Date [Docket No. 146]

Responses Received: None to date

Dated: April 1, 2020
St. Louis, Missouri

ARMSTRONG TEASDALE LLP

/s/ Richard W. Engel, Jr.

Richard W. Engel, Jr. (MO 34641)
John G. Willard (MO 67049)
Kathryn R. Redmond (MO 72087)
7700 Forsyth Boulevard, Suite 1800
St. Louis, Missouri 63105
Tel: (314) 621-5070
Fax: (314) 621-5065
Email: rengel@atllp.com
jwillard@atllp.com
kredmond@atllp.com

- and -

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

Paul M. Basta (admitted *pro hac vice*)
Alice Belisle Eaton (admitted *pro hac vice*)
Alexander N. Woolverton (admitted *pro hac vice*)
1285 Avenue of the Americas
New York, New York 10019
Tel: (212) 373-3000
Fax: (212) 757-3990
Email: pbasta@paulweiss.com
aeaton@paulweiss.com
awoolverton@paulweiss.com

Proposed Counsel to the Debtors and Debtors in Possession